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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/615,967	07/09/2003	Rael Sacks	RAR333.04	1275	
7590 05/27/2004			EXAMINER		
Ryan & Engnath			GELLNER, JEFFREY L		
Suite 104 8469 N. Millbrook		ART UNIT		PAPER NUMBER	
Fresno, CA 93720			3643		
			DATE MAILED: 05/27/2004		

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Application No. 10/615,967 SACKS, RAEL				\cup			
Examiner Joffrey L. Geliner 3643 Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Facinities of time in the several several time to the provision of 3°C FR 1.136(s) in no event, however, may a rectly be timely filed. If the period for reply is available under the provisions of 3°C FR 1.136(s) in no event, however, may a rectly be timely filed. If the period for reply is posified above, the macentum stabulary prior of will apply und will expire \$30.00 MONTHS from the making date of this communication. If the period for reply is posified above, the macentum stabulary prior of will apply und will expire \$30.00 MONTHS from the making date of this communication. If the period for reply is posified above, the macentum stabulary prior of will apply und will expire \$30.00 MONTHS from the making date of this communication. If the period for reply is posified above, the macentum stabulary prior of will apply und will expire \$30.00 MONTHS from the making date of this communication. If the period for reply specified above, the macentum stabulary prior of will apply und will expire \$30.00 MONTHS from the making date of this communication from the stabulary prior of the specified of this communication. Any reply reported by the Cole and the stabulary prior of the specified of this communication. Any reply reported by the Cole and the stabulary prior of the specified of the communication. Any reply reported by the Stabulary prior of the stabulary prior of the stabulary prior of the specified of the communication. Any reply reported by the Stabulary prior of the stabulary prior of the stabulary prior of the specified of the stabulary prior of the specified of the stabulary prior of the stabulary prior of the stabulary prior of the specified of the stabulary prior of the specified of		Application No.	Applicant(s)				
Jefffrey L. Geliner John Selats John	Office Action Summany	10/615,967	SACKS, RAEL	L			
The MALING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Editablesion for many by available under the provisions of 3°C FR 1.136(s). In no overt, however, may a reply be timely time Editablesion for many by sevaluation under the provisions of 3°C FR 1.136(s). In no overt, however, may a reply be timely time ### The period for reply specified above is listed than thinty (30) days, a reply which the datubory private time (20) days will be considered timely. ### The period for reply specified above is listed than thinty (30) days, a reply which the datubory private time (20) days will be considered private than the manufactory end of the part of the period of the private than the manufactory end of the communication. ### The period for reply specified above is listed than the replace of the communication. ### This period for reply specified above is listed above. ### This period for reply specified above. ### This period for reply	Office Action Summary	Examiner	Art Unit				
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1) Responsive to communication(s) filed on 09 July 2003. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-20 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are objected to. 8) Claim(s) 1-20 are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) beld in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received.	 IHE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory of Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing 	36(a). In no event, however, may a reply be ti within the statutory minimum of thirty (30) da will apply and will expire SIX (6) MONTHS fron cause the application to become ABANDONI	mely filed ys will be considered timely the mailing date of this co	r. mmunication.			
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Paper No(s)/Mail Date 6) Other:	2) Notice of Draftsperson's Patent Drawing Review (PTO-948) B) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date	Paper No(s)/Mail D	ate	.152)			

Application/Control Number: 10/615,967

Art Unit: 3643

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-18, drawn to claims a lawn edging, classified in class 47, subclass 33.
- II. Claim 19-20, drawn to a method of co-extruding, classified in class 264, subclass510.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the edging could be made by gluing a thin shell sheet on a core layer.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Art Unit: 3643

Conclusion

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Jeffrey L. Gellner whose phone number is 703.305.0053. The Examiner can normally be reached Monday through Thursday from 8:30 am to 4:00 pm. The Examiner can also be reached on alternate Fridays.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, Peter Poon, can be reached at 703.308.2574. The official fax telephone number for the Technology Center where this application or proceeding is assigned is 703.872.9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.308.1113.

Jeffrey L. Gellner